

ZB# 90-29

Robert & Kenneth Babcock

68-3-14

Re: Prelim.

Sept. 24, 1990.

Tabled for
addl. info.

Second Prelim.

Dec. 10, 1990.

Need: Copy of Deed

Title Policy

Motion to sched. P.H.

Closer photos wanted

Public Hearing:

Jan. 14, 1991

Notice to Sentinel

on 12/27/90 ✓.

Collect \$50.00

fee
paid

Variance

Granted

for sign

1/14/91

#90-29-Babcock, Robt.
(Ken)

Sign

4197
to T.C. \$50.00

General Receipt

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Received of Caro Jack & Body Shop, Inc \$ 50.00

Defty axel 00 DOLLARS

For ZBI Application Fee #90-580

DISTRIBUTION

FUND	CODE	AMOUNT
(4197)		50.00

By Pauline H. Janssen

Joan Clark

Title

Accounting Book B-100-1 Rochester, N. Y. 14609



#90-27



Rev. 2/22/91.

NEW WINDSOR ZONING BOARD OF APPEALS

(ZBA DISK#1-050388.FD)

-----X

In the Matter of the Application of

ROBERT & KENNETH BABCOCK

DECISION GRANTING
SIGN VARIANCE

#90-29.

-----X

WHEREAS, ROBERT BABCOCK and KENNETH BABCOCK, P. O. Box 537, Temple Hill Road, New Windsor, N. Y. 12553, have made application before the Zoning Board of Appeals for an 80 s.f. sign area, 5 ft. sign height and 11 ft. sign setback variances for the purpose of replacing a double-faced free-standing sign on the front portion of the applicants' property facing the highway at the above location in a C zone; and

WHEREAS, a public hearing was held on the 14th day of January, 1991 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Kenneth Babcock, one of the applicants, appeared in behalf of himself; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicants are seeking to replace a free-standing sign on the front portion of the above property due to lack of exposure of the previous sign in an area where much larger signs are located.

3. Applicant's proposed sign area exceeds the bulk regulations for a sign in the C zone by 80 s.f., requires a 5 ft. height variance and 11 ft. variance for setback from the street line.

4. The evidence presented and the Board's familiarity with the area shows that Temple Hill Road is a well-traveled highway with a 40 m.p.h. speed limit adjacent to applicants' property and that signs identifying the location of area businesses are essential to passing traffic.

5. The evidence presented shows that the applicants seek to replace an existing sign with a sign which is larger in area and higher than the now-existing sign.

6. The evidence presented by the applicants indicated that a sign with greater visibility than the present sign is required since customers often miss the applicants' present sign and confuse their business with the neighbor's business. The applicants also indicated that the road on which their business fronts is heavily travelled and that motorists typically pass by at 45 m.p.h.

7. The evidence presented by the applicant indicated that the area contains many signs, some of which are considerably larger and higher than the proposed sign. The applicants' proposed sign is about the same size as the sign for the business across the street.

8. The evidence presented and the Board's familiarity with the area shows that the sign is located along a major highway, not too far from a busy intersection where a multitude of signs are located, which further hampers visibility of signs located in this area.

9. The evidence presented further showed that the proposed sign will facilitate ready identification of the applicants' property by passing motorists.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The evidence shows that the applicants will encounter practical difficulty if the sign variances requested are not granted due to the fact that this is a well-travelled highway and a sign readily identifying the applicants' business is required.

2. The proposed variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood since the neighboring properties are commercial in character.

3. The proposed request for sign variances of 80 s.f. sign area, 5 ft. maximum sign height and 11 ft. setback from street, is not considered excessive with relation to the other signs which are located on adjacent commercial properties.

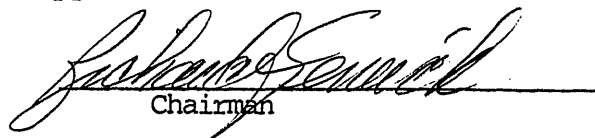
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a sign area variance of 80 s.f., sign height variance of 5 ft. and 11 ft. sign setback variance from the street in accordance with plans presented at the public hearing and on file in Building Inspector's Office.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: March 11, 1991.


Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

90-29

Date: _____

I. Applicant Information: ✓

- (a) Robert Babcock P.O. Box 537 Temple Hill Rd Vails Gate 562-3472
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. Property Information: ✓

- (a) C Temple Hill Rd Vails Gate NY 64-3-14 170 x 150 x 200 = 152.7
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? no
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? _____
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? no When? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: no

IV. Use Variance: N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

- (b) ^{N/A} The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. ☒ Area variance: ^{N/A}

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. /	/	/
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) ^{N/A} The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

VI. Sign Variance: ☒

- (a) Variance requested from New Windsor Zoning Local Law, Section 48-18, Table of Use/Bulk Regs., Col. N.

	Requirements	Proposed or Available	Variance Request
Area Sign 1	40 s.f.	120 s.f.	80 s.f.
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	40 sq.ft.	120 sq.ft.	80 sq.ft.
Height	15 ft.	20 ft.	5 ft.
Setback	15 ft.	4 ft.	11 ft.

- (b) ✓ Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.
- 6x10 x 20" Ht, Aluminum pnts w 1x3 wood frame with
Baked enamel finish mounted on pole with angle iron frame
- Reasons for a larger sign are better exposure to passing
Traffic, The New Sign will point with arrows to our Shop to
distinguish us from Kelly Motors
- (c) ✓ What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

Sign on Shop 3x10

VII. Interpretation: N/A.

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:

VIII. ✓ Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Lights will be Hooked up by a Licensed Electrician

IX. ✓ Attachments required:

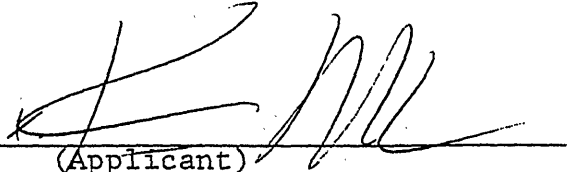
- ✓ Copy of letter of referral from Bldg./Zoning Inspector.
✓ Copy of tax map showing adjacent properties.
N/A Copy of contract of sale, lease or franchise agreement.
✓ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
✓ Copy(ies) of sign(s) with dimensions.
_____ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
_____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 12/27/90.

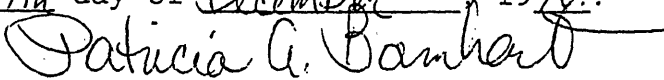
STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.


(Applicant)

Sworn to before me this

27th day of December, 1990.



PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904-134
Qualified in Orange County
Commission Expires August 31, 1991

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
Special Permit is _____
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

12-10-90

BABCOCK, KENNETH - PRELIMINARY

MR. FENWICK: This is a request for 80 square foot area and 11 foot street setback for replacement of sign at location on Temple Hill Road in a C zone.

Mr. Kenneth Babcock came before the Board representing this proposal.

MR. KEN BABCOCK: This is the official picture of the sign we want to put up. It's 6 foot by 10 foot. We came around the area and I got some numbers.

MR. NUGENT: Is that a two sided sign?

MR. KEN BABCOCK: Yes, two sided. I did go around the area and measure some signs that are on the same street and now as you can see, this won't be the biggest sign in the area.

MR. FENWICK: What is the area footage of the sign you have now?

MR. KEN BABCOCK: That would be, it's 4 by 4 so it's 40.

MR. NUGENT: Four (4) by 4 is 16 so 32.

MR. KEN BABCOCK: Thirty-two (32), okay. The whole thing is people just can't find my place so I just want to have a little bit more of a sign. We are going to have arrows pointing up to the shop because a lot of people confuse us with Kelly Motors. The sign I have now people just don't see it.

MR. TORLEY: 120 square feet?

MR. KEN BABCOCK: Yes, same as Strober King which is just right about across the street.

MR. TORLEY: How close to the road do you want to put it, it's at least, the code says at least 15 feet from any lot line, 4 feet from the road.

MR. KEN BABCOCK: Well, it would be more than that, the one that I'm going to have.

MR. TORLEY: We have to know at least how far it is from the property line.

MR. KEN BABCOCK: I'm going to put it in the same spot

as where the property, as where it is now.

MR. NUGENT: Where did we get the dimensions for the 11 foot he's putting in the same place as the other one was only 4 feet off the street line.

MR. JACK BABCOCK: Yes, is this where your sign presently is here now?

MR. KEN BABCOCK: That is right.

MR. JACK BABCOCK: And you're 4 foot off the right-of-way, off the highway?

MR. KEN BABCOCK: I think it was that.

MR. MIKE BABCOCK: It's that far off the easement line.

MR. JACK BABCOCK: Off the highway?

MR. MIKE BABCOCK: Yes.

MR. JACK BABCOCK: So you want to put it back in the same place?

MR. KEN BABCOCK: That's it.

MR. NUGENT: Time out, something is wrong if it's only 4 feet and he's putting up a 6 foot sign, he's going to be over the top, the easement.

MR. FENWICK: I just looked at the front part, I didn't look at the second part.

MR. TORLEY: The 11 foot is the, from the edge of the sign not from the edge of the post, right, single post and sign going out the side?

MR. NUGENT: That's what I'm trying to find out, what we are dealing with.

MR. LUCIA: Single or double post to support the sign?

MR. KEN BABCOCK: Single.

MR. LUCIA: So you have 1 foot off the curb this time?

MR. KEN BABCOCK: I wouldn't have a problem moving it another foot.

MR. FENWICK: Which was is the 6 foot height or this way?

**RETAKE
OF
PREVIOUS
DOCUMENT**

12-10-90

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TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS

DECEMBER 10, 1990

MEMBERS PRESENT: RICHARD FENWICK, CHAIRMAN
DAN KONKOL
LAWRENCE TORLEY
JACK BABCOCK
JACK FINNAGAN
JAMES NUGENT
TED TANNER

ALSO PRESENT: PAT BARNHART, SECRETARY
DANIEL LUCIA, ESQ., ZONING BOARD OF
APPEALS ATTORNEY
MICHAEL BABCOCK, BUILDING INSPECTOR

MR. FENWICK: I'd like to call the regular meeting
of the Town of New Windsor Zoning Board of Appeals
to order.

Since we just received the minutes for the last
meeting tonight, I am going to postpone a motion
to accept the minutes of the last meeting.

as where the property, as where it is now.

MR. NUGENT: Where did we get the dimensions for the 11 foot he's putting in the same place as the other one was only 4 feet off the street line.

MR. JACK BABCOCK: Yes, is this where your sign presently is here now?

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MR. TORLEY: The 11 foot is the, from the edge of the sign not from the edge of the post, right, single post and sign going out the side?

MR. NUGENT: That's what I'm trying to find out, what we are dealing with.

MR. LUCIA: Single or double post to support the sign?

MR. KEN BABCOCK: Single.

MR. LUCIA: So you have 1 foot off the curb this time?

MR. KEN BABCOCK: I wouldn't have a problem moving it another foot.

MR. FENWICK: Which was is the 6 foot height or this way?

MR. KEN BABCOCK: Height, yes.

MR. FENWICK: Ten (10) feet wide so from the post that exists now, you're going to be coming 5 feet, now you're only coming 4 feet out, you're planning on using the same post to mount this on?

MR. KEN BABCOCK: No, I am going to put a new post.

MR. NUGENT: Why can't you move the new post back?

MR. FENWICK: You have to.

MR. TORLEY: Otherwise, it's going to be overhanging the sidewalk.

MR. KEN BABCOCK: That's no problem.

MR. TORLEY: I am glad we had these dimensions of the other signs down there, it's sad to see that's there's only one that's conforming to our present codes, two, I take it back, two.

MR. FENWICK: These dimensions that we see here, they are to the post and not to the sign, this dimension that I see here, it says the proposed is for the sign 4 feet from the right-of-way, is that what we are talking about?

MR. MIKE BABCOCK: Yes.

MR. FENWICK: That is to the edge of the sign?

MR. MIKE BABCOCK: I don't think the applicant has a problem with that. Do you understand what he is saying? It's not 4 foot to the post, it's 4 foot to the sign. If the sign is hanging over the post 3 foot, it's to the edge of this sign.

MR. KEN BABCOCK: Yes.

MR. TORLEY: And the code says it should be 15 feet back from the lot line.

MR. MIKE BABCOCK: I don't know if the edge of the sign is counted or the edge of the post.

MR. KONKOL: It would have to be the sign.

MR. JACK BABCOCK: Well, we'll take it as being the sign.

MR. TORLEY: That is from any lot line, how far are you from the other part, not the road but the other?

MR. KEN BABCOCK: The property line, I'm way more than 15 feet that way.

MR. TORLEY: Make sure you have the exact distance and you don't have to worry about that.

MR. KEN BABCOCK: We have plenty there.

MR. TORLEY: When was your sign ordinance changed to the present dimensions?

MR. JACK BABCOCK: We have been working on a sign ordinance since I have been sitting on this Board.

MR. MIKE BABCOCK: It has been updated, it was updated in November of '85, that is why some of these signs can be nonconforming. I'm not sure what it was before '85. I don't have that with me.

MR. TORLEY: And as I recall, the recent changes say that if you make any modifications or a nonconforming sign even if you lessen its nonconforming nature, it goes back to square one.

MR. MIKE BABCOCK: It has to comply, that is why this gentleman is here tonight.

MR. FENWICK: He's not going less, he's going more.

MR. MIKE BABCOCK: Well, even if he wanted to put up the exact same sign he has now, he would need a variance.

MR. TANNER: They widened that road, that is another reason.

MR. JACK BABCOCK: We have, what he is looking for as far as height, size of sign, square footage of the sign, correct?

MR. FENWICK: Yes.

MR. JACK BABCOCK: I move we set him up for a public hearing.

MR. KONKOL: I will second that.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. J. Babcock	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

MR. FENWICK: Do we need some kind of proof that he owns the property?

MR. LUCIA: I'd like you to bring in a copy of your deed or your dad's deed, title policy, whatever he has available. We definitely determine how far off the street line the sign is going to be because that is going to have to be specified before you get to the public hearing.

MR. MIKE BABCOCK: The sign itself will be 4 feet.

MR. TORLEY: The edge of the sign will be 4 feet.

MR. MIKE BABCOCK: Yes.

MR. LUCIA: That is going to move it further onto your property then the present sign.

MR. KEN BABCOCK: By a foot, it should be.

MR. MIKE BABCOCK: It would be 7 feet.

MR. LUCIA: It would be further in than your present by quite a bit because the present sign is 4 feet in and this is a wider sign, you have to put your post further into the property to maintain the 4 foot.

MR. TORLEY: He's asking for an 11 foot variance.

MR. FENWICK: It's still correct.

MR. MIKE BABCOCK: He's proposing 4 feet off the easement line, the sign.

MR. FENWICK: We want to know from you when you come back what is the reason why you have to have the sign this big, what is your purpose of your having a sign this big. We have to address this if it were in fact granted by this Board, there's a, you're basically writing a law for your piece of property or your sign

12-10-90

and it legally has to be written with the reasons.

MR. KEN BABCOCK: The reason that I told you about is so people can see my business, you want that in writing?

MR. LUCIA: You have to show us the practical difficulties you have in having a sign small enough to comply with the ordinance. You have to say why it's practically difficult to conduct your business with that small of a sign. You might want to bring in photographs to show sight distance up and down the road.

MR. TORLEY: I'd appreciate some photographs taken closer to the property.

MR. LUCIA: Just to show the difficulty in seeing the sign, speed limit is relevant, traffic and how fast the traffic goes by, things like that, tell us why your business needs a sign this large for exposure to the public.

MR. TORLEY: The code says both sides of the sign have to total 40 square feet or less and you're asking for three times that big a sign so that becomes a large variance, even though I know from your sheet here which I again thank you for a lot of the other signs are much bigger than that.

MR. JACK BABCOCK: That's some of your help too, that is in your favor.

MRS. BARNHARDT: Here is your application.

MR. KEN BABCOCK: Thank you.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 29

Request of Robert Babcock & Kenneth Babcock

for a VARIANCE of

the regulations of the Zoning Local Law to

permit to replace existing sign with
larger sign w/ more than the allowable area,

height &
setback.

being a VARIANCE of

Section 48-18 - Supplementary Sign Regs.

for property situated as follows:

Temple Hill Rd., Rt. 300, New Windsor,
N.Y. known & designated as tax map
Sec. 68 - Blk. 3 - Lot 14.

SAID HEARING will take place on the 14th day of
January, 1991, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

Richard Fenwick
Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

December 19, 1990

Robert Babcock
Route 300 PO Box 537
Vails Gate, New York 12584

Re: Tax Map Parcel #68-3-14
Babcock Variance List


Dear Mr. Babcock:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk, Town of New Windsor, NY.

Sincerely,

Leslie Cook 

LESLIE COOK
Sole Assessor

LC/cp
Attachments

cc: Patricia Barnhardt

Rosenberg, William & Viola
c/o Big V Supermarkets Inc.
176 No. Main Street
Florida, NY 10921

Lawton, Edith B.
PO Box 653
Vails Gate, NY 12584

Orange County I.D.A.
c/o Strober King Building Supply
PO Box 726
Vails Gate, NY 12584

Sy Realty Corp.
550 Hamilton Ave.
Brooklyn, NY 11232

Panella, Emilio As Trustee
PO Box 573
Vails Gate, NY 12584

Nichols, Walter L. & Louella
PO Box 579
Vails Gate, NY 12584

Betrix, David B. & Elizabeth A.
PO Box 465
Vails Gate, NY 12584

Taravella, Frances T.
Route 94 Old Temple Hill Road
Vails Gate, NY 12584

Andrews, Eugene L. & Ruth
PO Box 292
Vails Gate, NY 12584

Dedominicis, Antonio & Giencinta
120 Old Temple Hill Road
New Windsor, NY 12553

Babcock, Robert & Catherine
Box 537
Vails Gate, NY 12584

Kelly, Katherine
Box 38
Vails Gate, NY 12584

Route 300 Associates
c/o John Yanaklis
550 Hamilton Ave.
Brooklyn, NY 11232

V.G.R. Associates
c/o Howard V. Rosenbaum
300 Martine Ave.
White Plains, NY 10601

Korngold, Louis M.D.
135 Strawtown Rd.
W Nyack, NY 10994

Albany Savings Bank
94 Broadway
Newburgh, NY 12550

R & S Foods Inc.
249 North Craig St.
Pittsburgh, PA 15213

N.Y. State Department of Transportation
Stewart Airport
P.O. Box 6100
New Windsor, NY 12553

Casaccio, Paul & Virginia
41 Barclay Rd.
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

SEPTEMBER 24, 1990

MEMBERS PRESENT: RICHARD FENWICK, CHAIRMAN
JACK BABCOCK
DAN KONKOL
LAWRENCE TORLEY
JAMES NUGENT
TED TANNER (Arriving Late)

ABSENT: JACK FINNAGAN

ALSO PRESENT: MICHAEL BABCOCK, BUILDING INSPECTOR
PAT BARNHART, SECRETARY
DANIEL LUCIA, ESQ., ZBA ATTORNEY

MR. FENWICK: I'd like to call the regular meeting of the
Town of New Windsor Zoning Board of Appeals to order.

MR. KONKOL: I will make a motion to accept the September 10th,
1990 minutes.

MR. TORLEY: I will second it.

ROLL CALL:

Mr. Torley	Aye
Mr. J. Babcock	Aye
Mr. Konkol	Aye
Mr. Fenwick	Aye

BABCOCK, ROBERT

MR. FENWICK: This is a request for 120 square foot and 5 foot
height variances for replacement of the sign on Temple Hill
Road in a C zone.

Mr. Kenneth Babcock came before the Board representing this

proposal.

MR. K. BABCOCK: Our sign is kind of lost in the midst of the bigger sign that is right next door. I took a couple pictures from both directions so it is a small, you can't see it and I am constantly getting people telling me they can't find me and I just need a bigger sign, it's pretty simple.

MR. FENWICK: Do you have sketches or drawings, photographs of the proposed sign?

MR. K. BABCOCK: Yes, something like that.

MR. FENWICK: Do you have dimensions for that?

MR. K. BABCOCK: Well, it would be 8 by 10.

MR. FENWICK: How high?

MR. K. BABCOCK: Twenty (20) feet.

MR. FENWICK: To the top?

MR. K. BABCOCK: Yes.

MR. M. BABCOCK: On his application, Mr. Chairman, he does have that.

MR. FENWICK: I'd like to see it on there. This is the only thing I have.

MR. M. BABCOCK: On the application, it does say that but it should be on something like that.

MR. K. BABCOCK: I can get a more definite drawing if you want.

MR. FENWICK: How much higher is this than the existing sign?

MR. K. BABCOCK: I think it is about 5 feet higher.

MR. TORLEY: The existing sign meets the zoning code and you are going on, still don't think that would be as high as Kelley Motors sign but--

MR. K. BABCOCK: It will be aluminum with plastic panels and fluorescent lights.

MR. J. BABCOCK: Is there a sign there now?

MR. K. BABCOCK: There is a sign there now.

MR. J. BABCOCK: Is it a legal sign or was there one up there?

MR. K. BABCOCK: I did get a permit for that.

MR. J. BABCOCK: Is it a legal sized sign?

MR. M. BABCOCK: Do you know?

MR. K. BABCOCK: It's 4 by 4 now.

MR. M. BABCOCK: He's allowed 40 square feet but since that sign has been up there and the new sign regulation, I'm not sure whether that is a nonconforming sign or not. In 1986, we had a new sign ordinance that was adopted so if this sign was erected before 1986, I am not sure what code it would meet.

MR. J. BABCOCK: Pre-existing nonconforming, if the sign was illegal that wipes that out, you know, in other words we are treating this as a brand new sign, not any relief for the present sign that is there. We are expanding on the present sign.

MR. FENWICK: The way the law reads now if they change the sign, it's coming in unless he can come back with a legal sized sign. We had that with Daystop, they were actually smaller than the existing sign. They still had to come back.

MR. J. BABCOCK: Do we have a height square footage of the sign that he wants to put up?

MR. TORLEY: It's got to be--

MR. M. BABCOCK: It's right there on the application on the denial, it's 80 square feet.

MR. TORLEY: Two sides?

MR. M. BABCOCK: Right. Today the sign ordinance needs that it is total all faces which it didn't read years ago.

MR. FENWICK: Total all faces is 40?

MR. TORLEY: Correct.

MR. FENWICK: Legal?

MR. M. BABCOCK: Yes.

MR. J. BABCOCK: He's asking for 160?

MR. M. BABCOCK: Yes.

MR. J. BABCOCK: So what is he looking at, 80 each side?

MR. M. BABCOCK: Yes.

MR. J. BABCOCK: And he's asking for 20 feet instead of 15?

MR. M. BABCOCK: Yes.

MR. TORLEY: The regulation is number 7 column N in the bulk table so you are asking to go higher because there is a sign near your adjacent business that is taller than yours?

MR. K. BABCOCK: Right, I mean most people just think we are part of Kelley Motors where it just looks that way.

MR. FENWICK: Mike, do we know that Kelley's signs are legal? We don't know that Kelley's signs are legal either.

MR. M. BABCOCK: No.

MR. FENWICK: He wants to put something else to compete with Kelley signs and we are not so sure Kelley signs are legal. All of the time I have been on this Board, they have never come before me. I'd be willing to bet that the white sign is new, I don't know the other sign. There's always been something there. I know it is a hell of a lot bigger than it used to be but where it says Jeep Eagle and Chrysler Motors since it was American Motors, it used to be there, we know that it's after that there is a white sign that I don't recall being there for very long on the corner of the property.

MR. TORLEY: Can we ask you to check that because I mean it would be inappropriate for us to give you a height variance to compete with an illegal sign. If the sign has no legal basis, if that is illegal, it ought to come down.

MR. K. BABCOCK: I am not looking to make them tear down the sign. I just want a bigger sign. I understand what you are saying.

MR. TORLEY: It is a very attractively designed sign.

MR. J. BABCOCK: How high off the ground to the bottom of the sign? Remember when we had that problem obstructing the traffic?

MR. FENWICK: He's talking 10 by 8 wide or the other was around?

MR. K. BABCOCK: Ten (10) wide, eight (8) high.

MR. FENWICK: So it would be 12 feet off the ground.

MR. J. BABCOCK: That is a big sign, is that illuminated as well?

MR. K. BABCOCK: Yes, fluorescent lights, plastic panels on either side. I didn't go up and measure Kelley's sign but the sign man estimated to me that that was about the size of his sign so I was trying to equal it.

MR. FENWICK: And somebody's trying to get in further up, they are trying to sell property further up the road.

MR. TORLEY: What I'm concerned about is I can see why you'd want a larger sign to differentiate your business. My difficulty is we have a legal sign, what was once an illegal sign we are going to replace it with a sign that is much larger and taller than the zoning code to try and compete with a sign that may well not be properly installed as far as the zoning codes.

MR. J. BABCOCK: We can have, very well say we don't care what Kelley's sign is. We can deal with that matter on another day. At this point, we deal with his sign. If we don't feel his sign should be as big as that sign, we should tell him that. If we feel he's got a shot at approval of this sign, then we should set him up for a public hearing. Otherwise, why compare the signs.

MR. FENWICK: One of the basis for his argument on practical difficulty can fall into that is that he wants to be as big or bigger than the sign along side of him.

MR. J. BABCOCK: If that is the case, then the testimony at the hearing will be to find out whether or not Kelley Motors has a legal sign.

MR. FENWICK: Why do we want to let him get to a public hearing where we can possibly straighten it out ahead of time.

MR. NUGENT: Where does it end? The guy next door to him wants to have a bigger one and next to him and etc.

MR. FENWICK: I think people further down, they want to sell it for commercial.

MR. NUGENT: Everybody along the street can do it.

MR. J. BABCOCK: Forty (40) square feet is totally ridiculous as we all agree but we should at least give him a fair shot, whether or not we want to go for this sized sign or not because he's asking for it doesn't mean we have to agree with him.

MR. NUGENT: Compromise something smaller.

MR. J. BABCOCK: Something bigger than what he's got but--

MR. TORLEY: We can't do that at a public hearing.

MR. NUGENT: We are not doing that. Has this sign already been made?

MR. K. BABCOCK: No.

MR. J. BABCOCK: Sometimes people come in and the signs already up.

MR. TORLEY: You are trying to do exactly the right thing.

MR. K. BABCOCK: That is exactly it.

MR. TORLEY: I want to complement you. A lot of people come in and they happen to have a sign and they decide they need a variance.

MR. M. BABCOCK: It is very hard to determine when signs were put up. It's very hard to prove even though you might feel that it might be a new sign. The sign ordinance changed in '86. The way we are trying to work it, signs that are there are nonconforming uses if anybody changes them that we know of then we try to make them meet the code.

MR. TORLEY: With Kelley Motors, number 1 I don't know when Chrysler bought out Jeep, I think it was after '86, I think Chrysler bought out Jeep after '86.

MR. M. BABCOCK: That doesn't mean they put the sign up, that is the problem. You have to prove that.

MR. TORLEY: I'd be more than happy to set the applicant up for a public hearing.

MR. M. BABCOCK: If he had a sign today that met the criteria that he's asking for, he still couldn't replace it with the same sign. If you replace a larger sign, you have to meet today's criteria. If he had a sign that was 160 square feet, 80 on each side right now and he came into me and said I want to replace a sign, I'd tell him you can only have 40 square feet.

MR. TORLEY: That is what I was saying, maybe he'd like to come back for a second preliminary hearing rather than go to a public hearing with this plan because this would be the plan that would have to go to the public hearing.

MR. J. BABCOCK: Before we chase him away, do we disagree with the size of the sign? Does Kelley Motors have any bearing on this application?

MR. TORLEY: Yes.

MR. FENWICK: Since he is using it as part of his argument, I would say that it does and I don't care about Kelley Motors, I really don't.

MR. J. BABCOCK: Do we or do we not agree with the size of the sign? If we say no, then he comes back with the second preliminary, with a revised size of the sign.

MR. TORLEY: He's asking for three times the allowed zoning, whether or not we feel personally that that sized sign is too small, I think it probably is that is what the zoning code is.

MR. KONKOL: Get the present size of the sign at Kelley Motors and other signs in that area.

MR. M. BABCOCK: We want to ask him for that?

MR. KONKOL: Maybe we can get a look at what else is in that area and then we can make our decision based on that. I think a second preliminary may not be a bad idea with that information, maybe Mike could do this. You as the building inspector or one of your men.

MR. FENWICK: Burden of proof could lay on the applicant, I think.

MR. KONKOL: If he wants to do it, he can do it too. You can get some measurements.

MR. LUCIA: When you come back, you have to make a showing to the Board why you want a sign of this size so the fact that your neighbor has a sign that is even larger is one factor you can cite, completely aside from the fact of whether that sign is legal you probably are also going to want to talk about traffic flow on the highway and how difficult it is to see the present sign, any factors visually that you feel is important to the Board in terms of whether they should allow you a variance for this sized sign. You heard some discussion here amongst the Board members. I am not sure the Board has a consensus on the size of the sign. One of the issues they may want to set you up for a second preliminary hearing if you want to ask the Board an 8 foot by 10 foot by 20 foot sign you have a right to come back, they will set you up for a public hearing. I think the Board is trying to give you a sense maybe they feel this is a little too large and you want to redesign it to something smaller. You have a right to come in and ask for this or you can rethink it and come back with a smaller lower proposal.

MR. K. BABCOCK: If I do come back and go for this and then I decide I want to make a smaller one, I can't on my own, do I have to give you that exact size?

MR. LUCIA: You could come in with something less if you got a variance approved but it's kind of an odd way to do business, okay, you have an easier chance of proving a smaller sign so if you think you may want something smaller--

MR. K. BABCOCK: As long as my neighbor as that sign, I don't see how you can say I shouldn't be allowed.

MR. LUCIA: Your neighbor may not have a legal sign.

MR. K. BABCOCK: Is that sign going to be changed?

MR. LUCIA: I don't know.

MR. J. BABCOCK: When she comes in for a bigger sign.

MR. TORLEY: Any citizen can ask or suggest that an neighboring, some other property has an illegal zoning.

MR. M. BABCOCK: If they want to sign a formal complaint, they can do it. They can't suggest it.

MR. TORLEY: You must file a formal complaint before you can look at it.

MR. M. BABCOCK: I have no idea when that sign was erected and I don't have the time to try to determine when it was erected.

MR. TORLEY: That could lead you into difficulties with your neighbors on the other hand that sign is clearly--

MR. M. BABCOCK: I'm sure she's going to be notified if there is a public hearing. It's there.

MR. KONKOL: My suggestion was if you can get some dimensions on her sign, the sign that you are going to have.

MR. K. BABCOCK: What is she going to do if she sees me with a ladder measuring the sign?

MR. FENWICK: Approximate, an approximate idea.

MR. K. BABCOCK: I got that idea from Burgess Sign and Art.

MR. KONKOL: Is Burgess going to build your sign?

MR. K. BABCOCK: He may, yes.

MR. KONKOL: You can ask him to give you an approximation of other signs in the area and then you can come in and present this to the Board and say she's got a sign this big, the guy down the road has a sign this big. It gives you a basis for

your request. The fact that you want a great big sign that doesn't mean anything.

MR. K. BABCOCK: I thought that my reasoning was pretty clear, my neighbor's sign is drowning my sign out.

MR. TORLEY: We have to have evidence in the public hearing to do it so if you come back in with your sign manufacturer possibly the manufacturer saying these x, y and z signs are all this size that makes a difference in how we say we will, whether you are going to change the characteristic of the neighborhood, if we give you a variance for a big sign. Everybody else has a big sign, that is not going to change the characteristic of the neighborhood. Having the dimensions in competing signs would be a help to me at least I imagine to all the rest of us.

MR. K. BABCOCK: So I should come to another meeting like this with that information, is that what you are saying?

MR. FENWICK: Yes.

MR. LUCIA: Based on that, when you get the dimensions for some of the neighboring signs, rethink the issue on whether or not you need a sign that big. If you want to scale it down, come back with a smaller proposal at the next meeting.

MR. K. BABCOCK: When you are going by it doesn't look that big, especially when there is one like that next to it.

MR. LUCIA: It may not be big for the size of the neighborhood, that is the reason.

MR. J. BABCOCK: I look at the numbers, the numbers of what you had and what the old ordinance called for. You want to trim it, I don't agree with the square footage on the present ordinance but we have to live with that so when I see it, I start to think how big is this sign, what is it going to look like, is it going to change the characteristics of the neighborhood. You say no, it ain't because of the next door neighbor so we look do we, as a Board, have to go down and look so we put the onus on you to tell us whose signs are in the area that are the same size as the one that you want to put up, is it bigger, the same, is there six of them, three of them, all the same, you tell us.

MR. FENWICK: Motion to table this? I think Mr. Babcock gets the feeling of the Board.

MR. TORLEY: I move we table it.

MR. NUGENT: I will second it.

9-24-90

ROLL CALL:

Mr. Torley	Aye
Mr. Nugent	Aye
Mr. J. Babcock	Aye
Mr. Konkol	Aye
Mr. Fenwick	Aye

MR. FENWICK: Also if you would put the dimensions on this sign.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

1 9-24-90
TABLE

2nd. Review:

Dec. 10, 1990.

* REVISE 11-16-90

1763

NOTICE OF DISAPPROVAL OF BUILDING PERMIT

FILE NUMBER

90-27

TO:

ROBERT BABCOCK

RTE 300 P.O. Box 537

WAILES GATE, NY. 12584

PHONE: 562-3472

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED Aug. 14, 1990.

FOR PERMIT TO ERECT SIGN

AT TEMPLE HILL ROAD

IS DISSAPROVED ON THE

FOLLOWING GROUNDS OVER-SIZED SIGN - HEIGHT

VARIANCE

ZONE

C

TYPE OF VARIANCE

SIGN AREA

REQUIREMENTS

PROPOSED

VARIANCE

AREA 40 SQ. FT.

160 SQ. FT.

120 SQ. FT.

HEIGHT 15 FT.

20 FT.

5 FT.

~~AREA 40 SQ. FT.~~

~~* 120 SQ. FT. *~~

~~* 80 SQ. FT.~~

~~SET BACK 15' FROM STREET LINE~~

~~4 FT.~~

~~11 FT.~~

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

Sino J. Scammaro

BUILDING/ZONING INSPECTOR

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3- INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4- WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5- INSULATION.
- 6- PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
- 7- DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
- 8- \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9- PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10- THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11- SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12- SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13- ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.
- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises..... Robert Babcock

Address Po box 537 Temple Hill Rd Vails Gate Phone 562-3472

Name of Architect

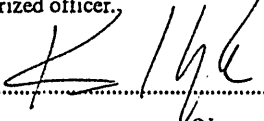
Address Phone

Name of Contractor..... Wallkill Signs

Address Rt 208 box 632 Wallkill Phone 895-2860

State whether applicant is owner, lessee, agent, architect, engineer or builder.....

If applicant is a corporation, signature of duly authorized officer.


..... Kenneth J. Babcock sec
(Name and title of corporate officer)

1. On what street is property located? On the E..... side of Temple Hill Rd

(N.S.E. or W.)

and 2000..... feet from the intersection of S. Cornues

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
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- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises Robert BabcockAddress P.O. Box 537 Temple Hill Rd Vails Gate Phone 562-3477

Name of Architect

Address Phone

Name of Contractor Wallkill SignsAddress RT 208 bx 632 Wallkill Phone 895-2860

State whether applicant is owner, lessee, agent, architect, engineer or builder

If applicant is a corporation, signature of duly authorized officer.

K J Babcock Kenneth J Babcock sec
 (Name and title of corporate officer)

1. On what street is property located? On the E side of Temple Hill Rd

(N.S.E. or W.)

and 200 feet from the intersection of S corner2. Zone or use district in which premises are situated. Is property in a flood zone? Yes No
 - ZONE

3. Tax Map description of property: Section Block Lot

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy b. Intended use and occupancy

5. Nature of work (check which applicable): New Building Addition Alteration Repair

Removal Demolition Other SIGN POLE SIGN 6'x15'

6. Size of lot: Front Rear Depth Front Yard Rear Yard Side Yard

Is this a corner lot?

7. Dimensions of entire new construction: Front 6'x10' Rear Depth Height 20' Number of stories

8. If dwelling, number of dwelling units Number of dwelling units on each floor

Number of bedrooms Baths Toilets

Heating Plant: Gas Oil Electric/Hot Air Hot Water

If Garage, number of cars

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use

10. Estimated cost \$1600.00 Fee 420.00

(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

40 sq feet (60 sq feet)

15 feet from lot line

4' off front curb

Needs zone variance
5' height

NEW WINDSOR, ORANGE COUNTY, N. Y.

.....19.....

.....19.....

.....

.....

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....11-15-90.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

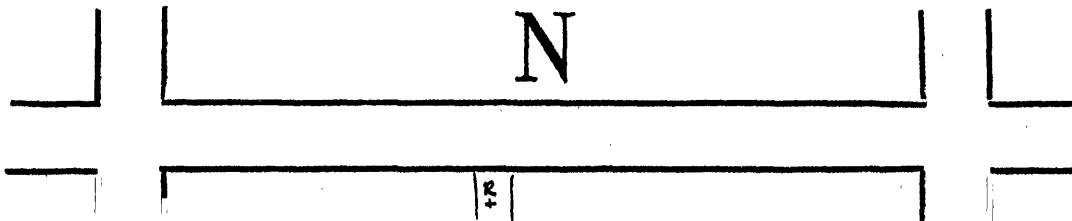
.....
(Signature of Applicant)

.....
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Needs ZONE V A R R C E
5' HIGHT

Pursuant to New York State Building Code and Town Ordinances

Date 11-15-90

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
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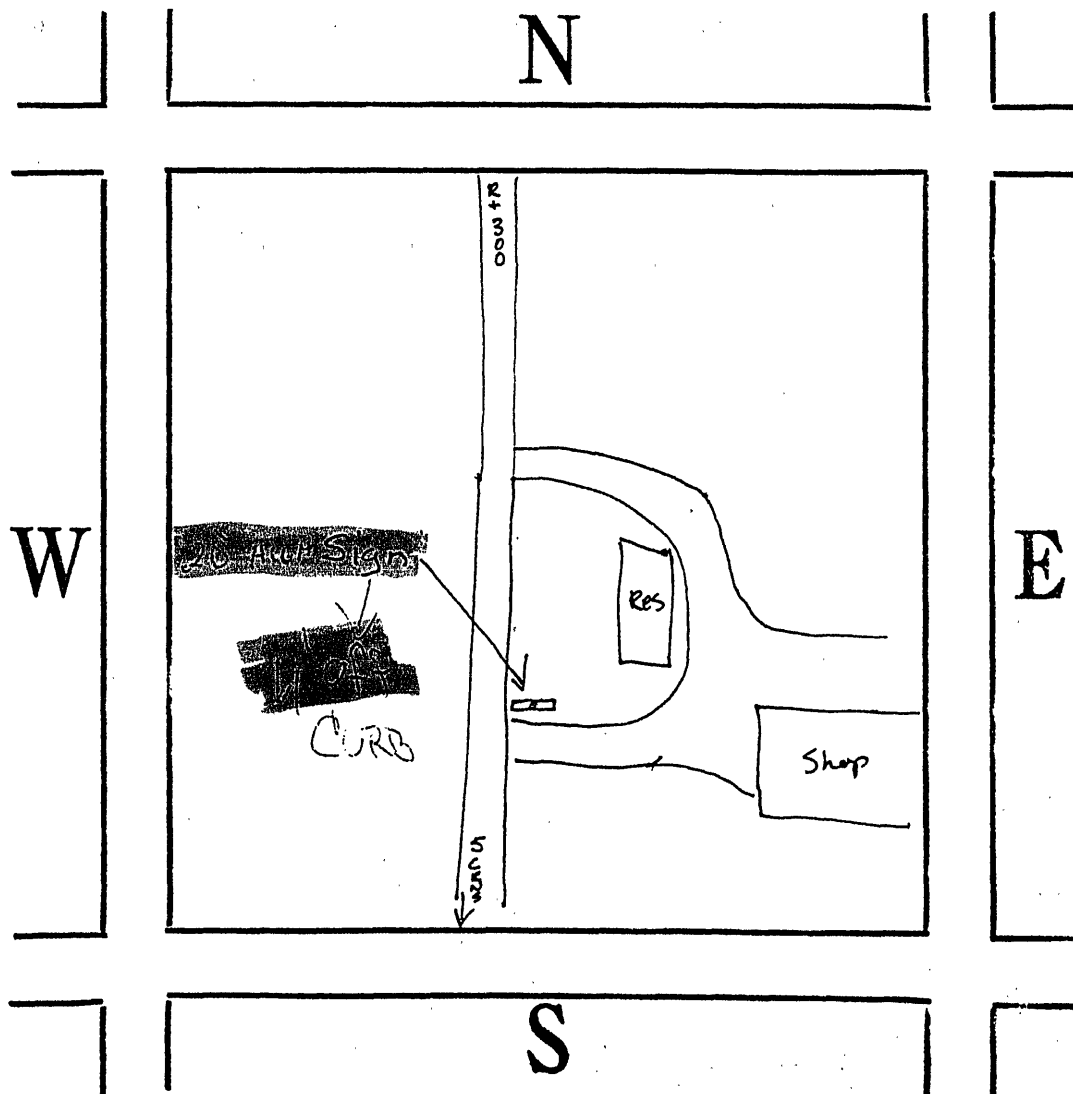
(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.





1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORKPrelim.Sept. 24, 19907:30 pm.

#90-29

NOTICE OF DISAPPROVAL OF BUILDING PERMIT

FILE NUMBER

90-27

TO:

ROBERT BABCOCK - (Ken)RTE 300 P.O. Box 537HAILEY GATE, NY. 12584PHONE: 562-3472PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED Aug. 14, 1990.FOR PERMIT TO ERECT SIGNAT TEMPLE HILL ROAD

IS DISSAPROVED ON THE

FOLLOWING GROUNDS OVER-SIZED SIGN - HEIGHTVARIANCE

ZONE

C

TYPE OF VARIANCE

SIGN AREA

REQUIREMENTS

PROPOSED

VARIANCE

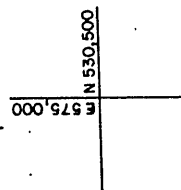
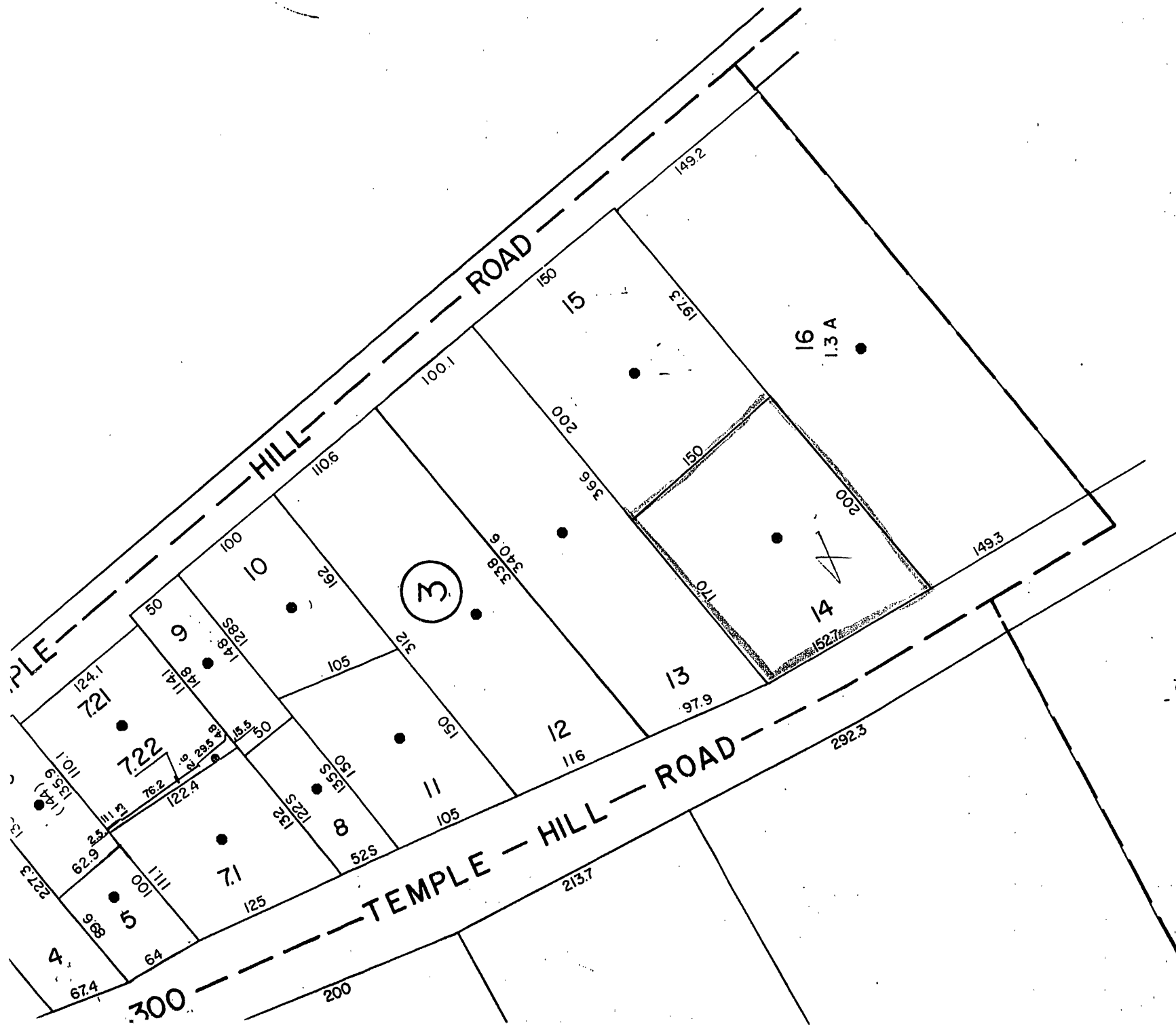
AREA 40 Sq. Ft.160 Sq. Ft.120 Sq. Ft.HEIGHT 15 Ft.20 Ft.5 Ft.

CALL PAT BARNHART (ZBA SECRETARY) AT 565-8550 FOR APPOINTMENT

Sino J. Scamanna

BUILDING/ZONING INSPECTOR

4x4 d. faced



IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1- WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2- FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3- INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4- WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5- INSULATION.
- 6- PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
- 7- DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
- 8- \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9- PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10- THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11- SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12- SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13- ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.
- 14- ALL BUILDING PERMITS WILL NEED A CERTIFICATE OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A \$15.00 FEE FOR THIS.

Name of Owner of Premises Robert Babcock
Address P.O. box 537 Vails Gate NY Phone 562-3472
Name of Architect _____
Address _____ Phone _____
Name of Contractor _____
Address _____ Phone _____
State whether applicant is owner, lessee, agent, architect, engineer or builder owner
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the E side of Temple Hill Rd

2 1/2 mile (N.S.E. or W.)

CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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1. On what street is property located? On the E side of Temple Hill Rd
and 2 1/2 mile feet from the intersection of 5 corners (N.S.E. or W.)
2. Zone or use district in which premises are situated. Is property in a flood zone? Yes No ✓
3. Tax Map description of property: Section 68 Block 3 Lot 14 ZONED C
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy b. Intended use and occupancy
5. Nature of work (check which applicable): New Building Addition Alteration Repair
Removal Demolition Other New Sign
6. Size of lot: Front Rear Depth Front Yard Rear Yard Side Yard
Is this a corner lot?
7. Dimensions of entire new construction: Front 8' x 10' Rear Depth Height Number of stories
8. If dwelling, number of dwelling units Number of dwelling units on each floor
Number of bedrooms Baths Toilets
Heating Plant: Gas Oil Electric/Hot Air Hot Water
If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$1,500. — Fee.....

(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —

Planning Board.....
Highway.....
Sewer
Water
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....8 / 14.....1990.....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

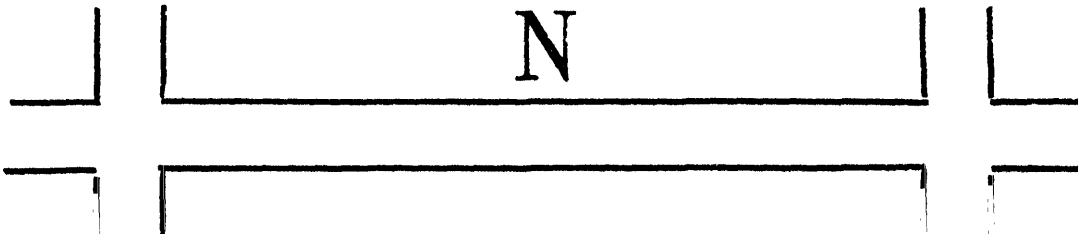
Kenneth J Babcock

Po box 537 Vails Gate NY
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer -
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